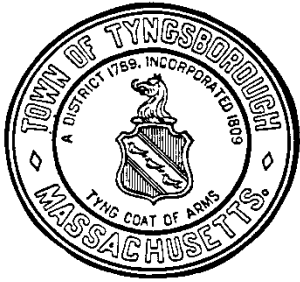


Tyngsborough Board of Health



Town Hall
25 Bryants Lane
Tyngsborough, MA01879
Office: (978) 649-2300 Ext 118
FAX: (978) 649-2301

Sheila Perrault, Chairperson
Bernadette Harper – Vice Chairperson
Patricia Quinn
Christopher Mellen
Tracie Looney

Board of Health Meeting Minutes **February 11, 2013**

Members Present: Sheila Perrault (SP), Chris Mellen (CM), Bernadette Harper (BH), Tracie Looney

Also Present: Kerri C. Oun (KO) – Health Agent, Karen Steeves (KS) – Administrator Assistant, Matt Waterman (MW) – Landtech Consultant
Diana Keohane (DK) and Steve Berthiaume (SB) - Recycling Subcommittee
Carolyn Dann (CD) – DEP Recycling Coordinator

6:07 CM: Made motion to open meeting.
BH: 2nd the motion
Vote: yes -4 no -0

6:10 Meeting Minutes
BH: Made motion to accept meeting minutes from December 12, 2012.
PQ: 2nd the motion
Vote: yes -4 no -0

6:13 Toters:
CM: made motion to increase toter price from \$150 to \$200 effective July 2013.
TL: 2nd the motion
Vote: yes -4 no -0

6:15 104 Middlesex Rd. – no show

6:15 Olive Garden
Dale McKinnon, Geoff Robillard, and Steve Blaise were present on behalf of Olive Garden. KO explained that there had been 2 breakouts at Olive Garden within 1 week and they were told to increase their pumping to once a week. KO and MW had been out to observe the breakouts. GR explained that the first breakout was due to the cap to cleanout was dislodged and the 2nd breakout was due to a break in the vertical line. Both has been repaired last week by cutting off the cleanouts and paved over. MW commented that he is not sure of what caused the breakouts. It may be due to severe cold weather or severely stressed system due to a recently replaced pumps system. Geoff said this has happened before. At one time, the plow had popped the cap and another time, there was a break in the

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vertical line 3 feet below. Dale claimed that Barry Invernizzi, the contractor, had said the breakouts may be due to the new pumps giving more pressure. The gauge valve has not been adjusted due to the weekly pumping. Steve Blaise, the manager, has calculated water usage to be around 7050 gallons a day right (which is at the tanks capacity). Olive Garden has 2 – 19,000 gallon septic tank and 12,000 gallon lift station. Last pumping was around 48,000 gallons pumped. Existing lift station pumps and alarm panel has been changed out due to faults and defects.

Geoff Robillard went over 8 phases of the construction schedule of septic replacement. Restaurant will likely remain open during construction except maybe for one day.

Phase I: will start on March 11th for the excavation of parking lot for installation of tanks, dosing stations, and FAST pumps.

Phase II I& III: will start on March 18th for new utility lines from pole to building transformer. Restaurant may shut down for 1 day for actual cut over of new utility lines by National Grid.

Phase IV & V: April 1st – excavation and installation of leach fields 2A & 2B. Start-up of the new system.

Phase VI – April 9th – excavation of old leach field and installation of new leach field 1B.

Phase VII – May 13th – excavation of old leach field and installation of new field 1A.

Phase VIII – May 28th to 31st – final paving and landscaping work.

KS reminded Olive Garden to check with Building Department for any electrical work or trench digging. Board asked Olive Garden to come back in April for update.

6:50 70 Chestnut Road

Brian Milisci, engineer from Whitman & Bingham, was present to request a variance on behalf of the owner, James Lane. Mr. Milisci requested variance for a 51 foot setback of the leaching facility from the nearest wetland or watercourse. Tyngsborough Board of Health regulations for the Soil Absorption System (SAS) requires a 100 foot setback. The lot is over an acre with a wetland. Mr. Milisci went over the layout of the land. Soil testing was done with MW. The system conforms to Title V for offset but does not meet local by-law. Mr. Milisci gave history on lot. About 10-12 years ago, Town has put catch basins that drain onto lot. In 2005, Town ordered a drainage study that concluded lack of detention from the subdivision as well as approved but not required development have impacted the property. To address this issue, the plan proposed to put in pipe to re-route and give the Town the easement to maintain the pipe. KS provided letter to the Board from H-Star and Assessor that stated the lot is unbuildable. Conservation Commission has done a site walk on the property and will be holding a continuance meeting tomorrow night. Board is not comfortable in giving variance due to the findings that the lot is unbuildable and wants to wait for Conservation finding before making any decision. Mr. Milisci pointed out that the septic is under the Board of Health and does not have anything to do with Conservation. BH and SP are uncomfortable on making the decision until they have more information and hear the comments from the Conservation Commission.

BH: made motion to postpone decision for next month.

CM: 2nd the motion

Vote: yes – 4 no – 0

7:10 Recycling Subcommittee

Diana Keohane, Steve Berthiaume from the recycling subcommittee and Carolyn Dann from

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DEP were present to provide Board update on the recycling issues. DK was excited that the Town has mandatory recycling by-law and that new regulation does not need to be written up. CD had spoken to other towns that had bundle pricing in places. She was not able to get the price impact on businesses because haulers have different prices. She had spoken to Wayland who had implemented mandatory recycling about 2 years ago and the person in charge of recycling said that they did not get complaints from businesses. KO said she had contacted Allied Waste for the impact of bundle pricing. According to Allied Waste, the price will depend on the size of the container, the type, and what they are recycling. For example, the prices will increase if a business decides to do single stream recycling and for a business that recycles cardboard may see a price decrease or stay the same depending on the price of the commodities. CD claimed that at the end, it would be a wash as businesses recycle more. Recycling subcommittee is willing to work with businesses to find solutions and get businesses to comply with the recycling by-law. KS said that all haulers have means of picking up recycling and trash but they do not want to be the company to tell the businesses to recycle. Currently BOH ask for the haulers for the customers they serve and to specify who recycles and who do not through application process. CD said Haverhill has recycling coordinator that sends letters to tell people to recycle. CD stated that "bundle pricing" is the same as integrated pricing as stated in the recycling bylaw and therefore haulers are required to give the businesses one price for trash and recycling. CD said that there are 85 towns out of 351 that have regulation that required businesses to recycle. DK asked when haulers are permitted in Town. KS said January. BH and SP have concerns on the economic impact on the businesses. BOH has to fine businesses that do not comply with the by-law and all the calls and complaints that come into the offices have to be handled through the BOH office. CD said that if businesses educate their employees on how to recycle, the businesses would benefit from recycling. The next step is to ask the recycling committee to come back with a set of letters to haulers and businesses. Ask for feedbacks from businesses and haulers. SB said having less trash pickup would decrease price. TL said that there are obstacles to overcome but recycling is the way to go. CM and BH talked about the \$25 dollar fine that is general and the bylaw is not well written. KS said that the Town's legal consul has expressed concerns on how poor the bylaw was written. BH has many concerns including the impact on BOH office, poorly written regulation, where information is coming from, as well becoming an "unfriendly" town towards businesses. KS said that Maple Ridge has provided recycling services to the residents except for 40Bs. 40Bs refused to accept recycling services due to the price increase. KO said that the haulers will probably increase their price due to the fact that they do not know how much trash and recycling will be generated and price adjustment will come in the 2nd year or 3rd year of the program. SB said that most trash haulers should have an idea on the cost because they probably have been servicing in the 85 communities that have trash and recycling service. Each board members expressed their opinion on the grant and program: SP is for recycling and want this program to be fair to all businesses. SP voted to pursue the grant. BH believes in recycling but does not support the grant. TL is on board with the program. CM cannot vote because he is on the recycling subcommittee.

The recycling subcommittee is asked to come up with draft of letters to the haulers and businesses. The Board wants frequent update and asked CM to update the Board.

8:20 Health Agent's Report

Stonehedge: KO gave Board update on her conversation with Town Consul. The Town Consul has not reached a decision and wanted to have a conversation with Stonehedge's lawyer. KO reported that she had called a couple of companies that supply bulk water for swimming pool. She had received an estimated quote of \$300 to \$325 for a 9,000 gallon

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load. Stonehedge swimming pool would require 2 loads. Board wants to hear more input from Town Consul.

8:29 Karen Steeves

Karen Steeves, Administrative Assistant, submitted her letter for retirement.

8:30 Meeting adjourned

Respectfully for the Board of Health
Kerri C. Oun
Health Agent